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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AUTOMOTIVE INDUSTRIES PENSION
TRUST FUND, JAMES H. BENO, Trustee,
BILL BRUNELLI, Trustee, STEPHEN J.
MACK, Trustee, MARK HOLLIBUSH,
Trustee, CHRIS CHRISTOPHERSEN, Trustee,
DON CROSATTO, Trustee, GEORGE HALL,
JR., Trustee, CHARLES J. DI BARI, Trustee,
RON NELSON, Trustee, and JAMES V.
CANTERBURY, Trustee,

Plaintiffs,

v.

STANFORD EUROPEAN, INC., dba
STANFORD BMW,

Defendant.

Case No.: C 09-02548 SC

**UPDATED JOINT CASE
MANAGEMENT STATEMENT AND
[PROPOSED] ORDER**

DATE: April 9, 2010

TIME: 10:00 A.M.

JUDGE: Hon. Samuel Conti

COURTROOM 1
Seventeenth Floor
450 Golden Gate Ave.,
San Francisco, CA

Plaintiffs, Automotive Industries Pension Trust Fund and its Board of Trustees, jointly
with Defendant Stanford European (hereafter “Stanford”) in the above-entitled action submit this
Updated Joint Case Management Statement and Proposed Order and request the Court to adopt it
as its Case Management Order in this case.

**JOINT CASE MANAGEMENT STATEMENT
AND [PROPOSED] ORDER**
Case No.: 09-2458 SC

1 At the last case management conference on September 25, 2009, Plaintiffs and Defendant
2 asked the Court to direct the case to mediation. On December 9, 2009, the parties participated in a
3 mediation with mediator Kim Zeldin. With the help of the mediator, the parties determined that
4 they would need to exchange additional information in order to resolve this matter. Ms. Zeldin
5 offered to assist the parties further following the exchange.

6 On December 16, 2009, Plaintiffs sent Defendant a letter requesting documents and
7 identifying subject areas about which plaintiffs needed further information. Due to the intervening
8 holidays and the temporary unavailability of Defendant's owners and accountant, Defendant did
9 not respond to Plaintiffs' December 16th letter until March 10, 2010 when Defendant's counsel
10 sent an e-mail containing some of the requested information. On March 12, 2010, Defendant
11 informally produced documents responsive to Plaintiffs' December 16th letter.

12 Plaintiffs are in the process of reviewing the documents provided by Defendant on March
13 12th. Following review, the parties intend to engage in an additional mediation with Ms. Zeldin.

14 The parties jointly request that the Court set a case management conference 90 days out to
15 allow time for the parties to secure a spot on Ms. Zeldin's calendar and proceed with settlement
16 discussions which are likely to be productive. Counsel for plaintiffs contacted Ms. Zeldin's office
17 on March 11th and 19th to determine her availability for the months of April and May 2010. On
18 March 26, 2010, the mediator's office provided the parties with Ms. Zeldin's availability for April
19 and May 2010. Counsel will promptly identify those dates on which all necessary client
20 representatives will be available.

21 The Court previously permitted an extension of 90 days for the parties to engage in this
22 process. See Clerk's Notice, filed February 2, 2010. However, more time than was expected was
23 required to obtain the information sought in Plaintiffs' December 16th letter. Accordingly, the
24 parties ask the Court to grant an additional extension of 90 days in order to increase the chance of
25 settlement. Defendant contends that there are few, if any, assets available to satisfy Plaintiffs'
26 claims. The parties are interested in settlement and believe that a further extension of time may
27 bear fruit and conserve the resources of the parties and the Court.

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6 Dated: March 26, 2010

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8 By: _____/s/
Michelle L. Sicula
9 Attorneys for Plaintiffs

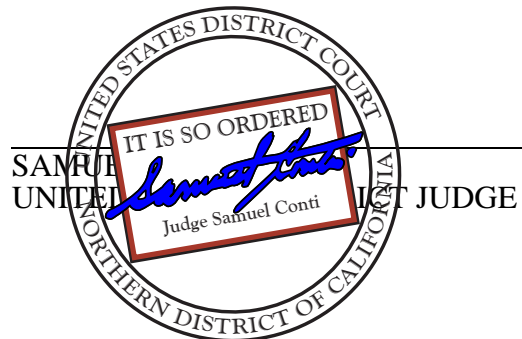
10 Dated: March 26, 2010

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12
13 By: _____/s/
14 Joshua Cliffe
Attorney for Defendant Stanford European

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16 IT IS SO ORDERED that the Case Management Conference is continued to July 9, 2010 at
17 10:00 a.m.

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19 Dated: March 29, 2010 _____



JOINT CASE MANAGEMENT STATEMENT
AND [PROPOSED] ORDER
Case No.: 09-2458 SC